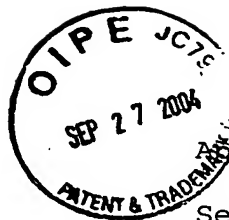


IFW

Docket No. 1747/55672-AA-PCT-US/JPW/AJM/AG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Gloria C. Li and Paul W.J.J. Burgman

Serial No.: 10/712,642

Filed : November 12, 2003

For : USES OF DNA-PK

1185 Avenue of the Americas
New York, New York 10036
September 23, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop OIPE

Sir:

COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT

This Communication is filed to request the issuance of a corrected Filing Receipt in connection with the above-identified application. Upon receipt of the official Filing Receipt for the subject application, a copy of which is attached hereto as **Exhibit A**, applicants' undersigned attorney noticed several errors.

Specifically, the Applicant data and Assignment data are listed incorrectly.

A corrected filing receipt should read as follows:

--Applicant(s)

Gloria C. Li, New York, NY;
Paul W.J.J. Burgman, Astoria, NY;

Assignment For Published Patent Application

Sloan-Kettering Institute for Cancer Research--

Applicants: Gloria C. Li et al.
Serial No.: 10/712,642
Filed : November 12, 2003
Page 2

Applicants contend that the correct Applicant data may be found in the copy of the Declaration and Power of Attorney, attached hereto as **Exhibit B**, filed November 12, 2003 in connection with the subject application. Applicants further contend that the correct Assignment data may be found on the PTO-1595 (Substitute) Recordation Form attached hereto as **Exhibit C**, filed October 4, 1999 in connection with International PCT Application No. PCT/US99/14702, filed June 30, 1999, from which the subject application claims priority.

In view of the remarks above, applicants request that a corrected Filing Receipt be issued.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Alan J. Morrison
Reg. No. 37,399

Date

John P. White
Registration No. 28,678
Alan J. Morrison
Registration No. 37,399
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

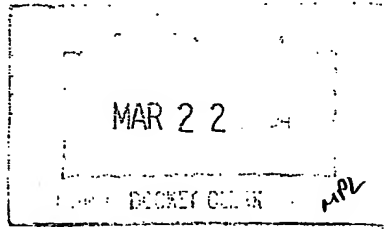


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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/712,642	11/12/2003	1645	856	55672-AA-PCT- US JPW/AJM/	31	14	4

John P. White
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036



CONFIRMATION NO. 8975

FILING RECEIPT



OC000000012112406

Date Mailed: 03/18/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gloria C. Li, New York, NY;
Paul W.JJ.. Burgman, Asturia, NY;

Assignment For Published Patent Application

The Trustees of Columbia University in the City of New York;

Domestic Priority data as claimed by applicant

This application is a CON of 09/750,410 12/28/2000
which is a CON of PCT/US99/14702 06/30/1999
which claims benefit of 60/091,181 06/30/1998

Foreign Applications

If Required, Foreign Filing License Granted: 03/16/2004

Projected Publication Date: To Be Determined - pending completion of Sequence Disclosures

Non-Publication Request: No

Early Publication Request: No

Title

Uses of DNA-PK

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

USES OF DNA-PK

the specification of which:
(check one)

 is attached hereto.

X was filed on December 28, 2000 as

Application Serial No. 09/750,410

and was amended December 28, 2000

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
PCT/US99/14702	PCT	30 June 1999	X	

BEST AVAILABLE COPY

Declaration and Power of Attorney

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
60/091,181	30 June 1998	Expired

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
PCT/US99/14702	30 June 1999	Pending

And I hereby appoint

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. 38,232); Paul Teng (40,837); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923) and Raymond A. Diperna (Reg. No. 44,063).

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

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Please address all communications, and direct all telephone calls, regarding this application to:

John P. White _____ Reg. No. 28,678

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or
first joint inventor Gloria C. Li

Inventor's signature Gloria C. Li

Citizenship United States of America Date of signature 1/18/01

Residence 345 E. 69th Street, #PHE
345 E. 68th Street #5F, New York, New York 10021, U.S.A.

Post Office Address same as residence address

Full name of joint
inventor (if any) ~~Paul L.J. Burgman~~ Paul W.J.J. Burgman P.D.

Inventor's signature P.W.-g-

Citizenship The Netherlands Date of signature 1/14/01

Residence 23-33 30th Avenue, #B3 Astoria, NY 11102 USA
401 E. 63rd Street #15, New York, New York 10021, U.S.A.

Post Office Address same as residence address

Full name of joint
inventor (if any) _____

Inventor's signature _____

Citizenship _____ Date of signature _____

Residence _____

Post Office Address _____

10-13-1999

Docket No. 55672-A-PCT/JPW/EMW

FORM PTO-1595 (Substitute;

(Rev. 8-95)



101169821

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents

Original documents or copy thereof.

1 Name of conveying party(ies):

Gloria C. Li and
Paul J.J. Burgman

10/8/99

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

3 Nature of Conveyance:

☒ Assignment:☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date(s) August 6, 1999 and

August 9, 1999

Name Sloan-Kettering Institute for Cancer
Research

Internal Address

Street Address 1275 York Avenue

City/State/Zip New York, New York 10021

Additional name(s) & addresses attached? ☐ Yes ☒ No

4 Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is(are):

A Patent Application No.(s) PCT/US99/14702,
filed June 30, 1999

B Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5 Name and address of party to whom correspondence concerning document should be mailed.

Name John P. White

Internal Address

Street Address Cooper & Dunham LLP

1185 Avenue of Americas

City/State/Zip New York, New York 10036

6 Total number of applications and patents involved: 1

7. Total fee (37 CFR §3.41): \$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account

8 Deposit account number:

03-3125

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9 Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John P. White

Name of Person Signing

Signature
Reg. No. 28,678

October 4, 1999

Date

Total Number of pages including cover sheet, attachments and document: 5

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents and Trademarks Washington, D.C. 20231

P.C. 20231

John P. White

Reg. No. 28,678

Date

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to
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Box Assignments
Washington, D.C. 20231

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